

REMARKS

Review and reconsideration of the Office Action of June 28, 2005, is respectfully requested in view of the above amendments and the following remarks.

Applicant has amended the title as suggested by the Examiner. Entry of the new Title is respectfully requested.

Applicant has amended the Abstract as suggested by the Examiner. Entry of the new Abstract of Disclosure is respectfully requested.

Applicant has amended paragraph [00039] of the Specifications as suggested by the Examiner.

Claims 1 and 8 have been amended to include the limitation that the segments are detachable. Support for the claim amendment can be found on paragraphs [00016] and Figure 1.

Claims 13-14 have been added. Support for these claims can be found in Figures 2-3 and paragraph [0034]

No new matter has been added to the Title, Abstract, Specification, or the claims.

Applicant believes that the present set of claims are allowable in view of the cited prior art.

Compared with Claim 1, the Thiel reference fails to teach 1) **detachable segment** bodies, and 2) at least one attachment point to interconnect each segmented body to the adjacent segmented body.

Compared with Claim 13, the Thiel reference **further** fails to teach 1) the segments bodies are placed one next to the other forming a closed unit, and 2) each segmented body is shaped to complement the shape of the adjacent segmented body to form the closed unit.

Compared with Claim 14, the Thiel reference **further** fail to teach 1) the segments bodies are placed one next to the other forming a closed unit, and 2) each segmented body has a triangular shape.

Applicant arguments on each point can be found below.

Office Action

Turning now to the Office Action in greater detail, the paragraphing of the Examiner is adopted.

Paragraph 1 (Information Disclosure Statement)

The Examiner has stated that the list of references in the specification is not a proper information disclosure statement.

The position of the Examiner can be found on page 2 of the Office Action.

Applicant would like to point out to the Examiner that Applicant does not consider the references disclosed on the specification relevant to the present invention; thus, that is why the references were not presented in an IDS.

Paragraph 2 (Title)

The Examiner objects to the title of the invention, indicating that it is not descriptive, and requiring a new title that is clearly indicative of the invention to which the claims are directed, namely, illumination device having detachable lighting units.

The position of the Examiner can be found on page 2 of the Office Action.

In response, Applicant has amended the title as suggested by the Examiner. Entry of the new title is respectfully requested.

Accordingly, withdrawal of the objection is respectfully requested.

Paragraph 3 (Abstract)

The Examiner also objects to the abstract for improper form and language, stating that the abstract uses phrases, which can be implied.

The position of the Examiner can be found on pages 2-3 of the Office Action.

In response, Applicant has amended the Abstract of Disclosure to overcome the objections. A replacement Abstract is filed herewith. Entry of the new Abstract is respectfully requested.

Accordingly, withdrawal of the objection is respectfully requested.

Paragraph 4 (Specification)

The Examiner objects to the specifications for informalities.

The position of the Examiner can be found on page 3 of the Office Action.

In response, Applicant amended paragraph [00039] as suggested by the Examiner.

Accordingly, withdrawal of the objection is respectfully requested.

Paragraphs 5-6 (Formalities)

The Examiner objects to Claim 12 because of formalities.

The position of the Examiner can be found on page 3 of the Office Action.

In response, Applicant amended Claim 12 as suggested by the Examiner.

Accordingly, withdrawal of the objection is respectfully requested.

Paragraphs 7-9 (Anticipation)

The Examiner rejects Claims 1, 2, 4, 5, 7-9, 11, and 12 under 35 U.S.C. 102(b) as being anticipated by Thiel (U.S. Pat. 1,875,956).

The position of the Examiner can be found on pages 4-6 of the Office Action.

Applicant respectfully traverses.

Compared with Claim 1, the Thiel reference fails to teach 1) **detachable segment** bodies, and 2) at least one attachment point to interconnect each segmented body to the adjacent segmented body.

Compared with Claim 13, the Thiel reference **further** fails to teach 1) the segments bodies are placed one next to the other forming a closed unit, and 2) each segmented body is shaped to complement the shape of the adjacent segmented body to form the closed unit.

Compared with Claim 14, the Thiel reference **further** fails to teach 1) the segments bodies are placed one next to the other forming a closed unit, and 2) each segmented body has a triangular shape.

Applicant notes that the reference is directed to multiple **parallel** flashlights that are **secured** between them. The present set of claims requires at least **one segment**.

The term "segment" is defined as any one of the parts or sections into which an object or **group is divided**. Applicant does not believe that the flashlights of the reference are segments. **The reference is simply securing three independent flashlights together in order to increase the penetration of the light at the focal point.**

In addition, Applicant notes that Claim 1 requires that each segmented body to include at least one attachment point that interconnects with the attachment point of the adjacent segmented

body. Applicant notes that the reference utilizes a clam **bolted** to the flashlight. (Page 1, lines 87-94 of the reference).

In addition, Applicant notes that the segmented bodies of the present invention are detachable. The flashlights of the reference **are not easily detachable** because the clamps are bolted to the casing of the flashlights.

Furthermore, Applicant notes that the segmented bodies of the present invention are shaped (triangle) to compliment the shape of the adjacent body; thus, an unitary shape unit is formed. See Figure 1.

The reference is directed to simple mounting different flashlights into a mounting platform. None of the flashlight is shaped to compliment the shape of the adjacent flashlight. Furthermore, the flashlights of the reference are not in **direct contact** with each other forming a unit.

The present inventor thought of the necessity of having an illumination device that would illuminate the desired area by emitting light into a central area rather than a central light source emitting light outward.

The Thiel patent is intended for use in observing a point in higher detail. If another point in an area needs to be observed, the light must be moved to view the point. Two points cannot be observed simultaneously.

The Thiel reference is design for observation for a specific point. The logical enhancement of Thiel is to have light sources with as small an angle of divergence as possible, so more light can be focused on the point of interest. The design only has one state for its purpose. This state is the combined grouping of light sources.

The present invention is intended observation for a large area. The present invention has two states. When combined they provide lighting from a central point like a conventional lantern. The second

state is to provide light over a wide area by positioning lights in multiple locals with the objective of providing a general ambience of light for the area. To provide a general ambience a specific focal point is not an objective. Lights generally can be applied for overall area coverage by not focusing on the same point. A wide angle of light divergence is needed, so multiple points can be observed at one time without changing the original setup.

THIEL was not meant to be used as an area device. The original patent would need to be reversed (not used) and the focal system of the light changed to accomplish the same task as the second state of the multi-segment light.

The reference does not provide an assembly in which a light source is assembled into a portable multi-segmented light source for use in areas outdoors.

The disadvantage to this particular illumination device is that while its light sources are independent light emitters, they can still not be disassembled independently from each other and placed where light is needed.

Thus, the Thiel reference does not anticipated the claims of the present invention as presently claimed.

Accordingly, withdrawal of the rejection is respectfully requested.

Paragraphs 10-15 (Obviousness)

The Examiner rejects Claims 3, 6, and 10 under 35 U.S.C. 103(a) as being obvious over Thiel (U.S. Pat. 1,875,956).

The position of the Examiner can be found on pages 6-7 of the Office Action.

Applicant respectfully requests traverse for the same as set forth in the previous paragraphs and the following remarks.

Applicant's position regarding the Thiel reference can be found above.

Regarding Claim 3

Applicant notes that Claim 3 depends on Claim 1; thus, compared with Claim 3, the Thiel reference **further** fails to teach that each segmented body has a hook for hanging the segmented body.

The Examiner is on the opinion that it would have been obvious to one skilled in the art at the time the invention was made to include a hook in the segmented body of the Thiel device because hooks were well known in the art.

Applicant notes that the Examiner is using the present invention as a blue print to add elements to the Thiel device in order to obtain the device of the present invention. This is not permissible by Section 103. Section 103 requires that there is a suggestion on the reference that will allow a person skilled in the art to modify the device.

First, Applicant note that the Examiner fails to specifically point out where in the reference can be found the suggestion for the modification.

Second, there is not a technological motivation to modify the Thiel device by adding a hook to each one of the flashlights. Please note that the goal of Thiel is to provide a device that intensifies the beam of light on a focal point. (Page 1, lines 1-9 and lines 35-43). If the device of Thiel is modified by adding a hook into each flashlight, the main goal of the reference will be destroyed because the intensity of the beam will be diminished in view that the flashlight are separated.

A §103 rejection based upon a modification of a reference that destroys the intent, purpose or function of the invention disclosed in the reference, is not proper and the *prima facie* case of obviousness cannot be properly made. In short, there would be no technological motivation for engaging in the modification or change. To the contrary, there would be a disincentive. In re Gordon 221 USPQ 1125 (Fed. Cir. 1984).

Regarding Claim 6

Applicant notes that Claim 6 requires a main power switch to power all the segmented bodies.

The Examiner is on the opinion that it would have been obvious to one skilled in the art at the time the invention was made to include a main power switch on the Thiel device; thus, all the flashlights are turned on/off together.

Again, the Examiner fails to specifically point out where in the reference can be found the suggestion for the modification as required by §103.

Applicant notes that Thiel does not have any technological motivation to include a main power switch in his device because we do not want to turn all the flashlights at once, but rather one by one, until the desired intensity is obtained. (Page 1, lines 51-55).

Regarding Claim 10

Claim 10 is novel and not obvious over the Thiel reference for the same reasons as set forth in Claim 1.

Paragraph 16 (Relevant Prior Art)

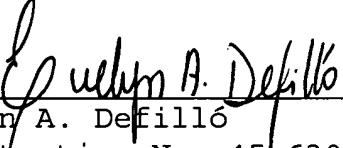
The Examiner considers the prior art made of record and not relied upon pertinent to Applicant's disclosure. Finesilver, Pelletier, Bertozzi, et al, Farrall, et al., Hopper, Sims, Engle, and

Stephens, disclose illumination systems having a plurality of inter-connectable lamp housing for individual or grouped operation.

Applicant does not have any comments regarding these references.

Favorable consideration and early issuance of the Notice of Allowance are respectfully requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,



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Date: September 28, 2005



CERTIFICATION OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that a copy of the foregoing AMENDMENT A for U.S. Application No. 10/659,665 filed September 10, 2003, was deposited in first class U.S. mail, postage prepaid, addressed: Mail Stop Amendments, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on **September 28, 2005**.

The Commissioner is hereby authorized to charge any additional fees which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Evelyn A. Defillo